

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TAYLOR MENDEZ,
Petitioner

v.

DAVID J. EBBERT.
Respondent

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No. 1:19-cv-428

(Judge Rambo)

ORDER

AND NOW, this 4th day of April 2019, in accordance with the Memorandum accompanying this Order, **IT IS ORDERED THAT:**

1. Mendez's motion for leave to proceed *in forma pauperis* (Doc. No. 5) is **GRANTED**, and the petition for writ of habeas corpus (Doc. No. 1) is accordingly **DEEMED** filed;
2. The Petition for Writ of Habeas Corpus (Doc. No. 1), is **DISMISSED WITHOUT PREJUDICE** to Mendez's right to assert his constitutional claims in a properly filed civil rights action; and
3. The Clerk of Court is directed to **CLOSE** this matter.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge